



PATENT
Customer No. 22,852
Attorney Docket No. 04012.0385

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)
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Lukas-Laskey et al.) Group Art Unit: 1614
)
Application No. 10/721,020) Examiner: K. Weddington
)
Original Patent No. 5,760,069)
)
Original Issue Date: June 2, 1998)
)
Reissue Filed: November 25, 2003)
)
For: METHOD FOR TREATMENT FOR)
DECREASING MORTALITY)
RESULTING FROM CONGESTIVE)
HEART FAILURE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY

The Office Action dated October 21, 2004, has been received and its contents carefully considered. The period for reply has been extended to February 22, 2005, by a request for extension of one month and fee payment filed concurrently herewith.

I. Reissue Application

The Office notes that the reissue application was filed without an offer to surrender the original patent or a declaration that the original is lost or inaccessible. (Office Action, pg. 2.) Under 37 C.F.R. § 1.178, as currently in force, the "application for reissue shall constitute an offer to surrender the patent...." See, e.g., Official Gazette (October 12, 2004). Accordingly, no further offer should be required.